

**IN THE CIRCUIT COURT OF THE FIFTEENTH CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA**

KATHLEEN MADARAS)
)
 Plaintiff,)
)
 vs.)
)
 SCHOOL BOARD OF PALM)
 BEACH COUNTY)
)
 Defendant.)
 _____/

COMPLAINT

Plaintiff, KATHLEEN MADARAS, sues the Defendant, PALM BEACH COUNTY BOARD SCHOOL BOARD, and alleges:

1. Plaintiff, KATHLEEN MADARAS (hereinafter "Plaintiff"), sues Defendant SCHOOL BOARD OF PALM BEACH COUNTY (hereinafter "Defendant"), for violations of her rights under the Florida Civil Rights Act of 1992, §760.01 et seq. (hereinafter the "FCRA"). Plaintiff was terminated with no explanation three days (3) after she engaged in what she reasonably believed was protected activity when she submitted an official Employee Bullying and Harassment Report, explaining she was being bullied and harassed because of her race. See **Exhibit 1**. Plaintiff had disclosed that students were being denied their right to an education and medical attention, and reporting the management company was receiving notice before inspections to pass inspections on those days, although it would not otherwise pass. Plaintiff believes she was bullied and harassed by her assigned mentor (an African American) because of race. Her Principal (same race as the bully) punished Plaintiff for speaking out: Plaintiff was terminated three days after she made an official bullying and harassment complaint.

JURISDICTION AND VENUE

2. Jurisdiction in this Court is proper as this is an action for damages and equitable relief. The amount sought by Plaintiff, not including interest and costs, exceeds \$75,000.

3. Venue is appropriate in Palm Beach County. All acts complained of occurred in Palm Beach County.

PARTIES

4. Plaintiff, KATHLEEN MADARAS, is a natural person who resides in Palm Beach County and was employed by the Defendant in Palm Beach County. MADARAS was employed as a teacher. She is a white woman.

5. Defendant is the SCHOOL BOARD OF PALM BEACH COUNTY, and was Plaintiff's "employer" as that term is defined by the FCRA.

6. At all times material, Defendant was conducting business in Palm Beach County, Florida.

FACTUAL ALLEGATIONS

7. Plaintiff was hired for this first-year teacher position at an alternative school for juvenile delinquents on December 20, 2021.

8. At all times material, Plaintiff was fully qualified for the position she held with Defendant, fulfilled Defendant's expectations and performed her job in an above satisfactory manner.

9. Subsequent to her arrival at Palm Beach Youth Academy, Plaintiff was assigned to Angela Hammond as Plaintiff's mentor. Ms. Hammond (black) was an English teacher as well as occasionally the acting assistant principal. Demetrius Permenter (black) was the Principal who

was supposed to oversee the mentors and mentees. Most of the teachers and administration were black. Plaintiff was not provided with mentorship support by Ms. Hammond because of Plaintiff's race, Plaintiff was harassed and bullied by Ms. Hammond because of her race. Principial Permenter ignored Plaintiff's repeated complaints about the behavior she was experiencing and the negative impact it had on Plaintiff. The Principal (also black) did nothing about Plaintiff's concerns.

10. Plaintiff made repeated attempts to address the harassment and bullying with her Principal. Nothing was ever done to stop the bullying or harassing behavior, address Plaintiff's concerns.

11. Plaintiff submitted an official Employee Bullying and Harassment Report on April 25, 2022, attached as **Exhibit 1**.

12. Plaintiff was terminated without explanation on April 28, 2022, only 3 days later.

COUNT I/FLORIDA CIVIL RIGHTS ACT

13. Plaintiff realleges and asserts, as if fully set forth in Count I, the allegations of ¶¶1-12, supra.

14. Plaintiff, in violation of §760.10, Fla. Stat., the Florida Civil Rights Act ("FCRA"), was discriminated against because of her race (white) and was subjected to retaliation, for engaging in protected activity in complaining about race discrimination.

15. As a result of the adverse actions taken against her and detailed in ¶9, Plaintiff has suffered damages, including loss of pay; lost wages and benefits; mental anguish and humiliation; medical and therapeutic expenses; loss of reputation; loss of self esteem; loss of the enjoyment of life and other tangible and intangible losses.

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Award Plaintiff lost wages, benefits, and other economic damages, as appropriate;
- B. Award injunctive relief in the form of a promotion to the position of Lt.;
- C. Award Plaintiff compensatory damages for mental anguish and humiliation; medical and therapeutic expenses; loss of reputation; loss of self esteem; loss of the enjoyment of life and other tangible and intangible losses.
- D. Award Plaintiff a reasonable attorneys' fee and her costs.

COUNT II/FLORIDA CIVIL RIGHTS ACT

16. Plaintiff realleges and asserts, as if fully set forth in Count I, the allegations of ¶¶1-12, supra.

17. Plaintiff, in violation of §760.10, Fla. Stat., the Florida Civil Rights Act (“FCRA”), was subjected to a hostile and abusive work environment due to her race (white).

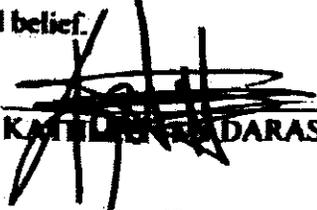
18. Plaintiff has suffered damages, including loss of pay; lost wages and benefits; mental anguish and humiliation; medical and therapeutic expenses; loss of reputation; loss of self esteem; loss of the enjoyment of life and other tangible and intangible losses.

- A. Award Plaintiff lost wages, benefits, and other economic damages, as appropriate;
- B. Award injunctive relief in the form of a promotion to the position of Lt.;
- C. Award Plaintiff compensatory damages for mental anguish and humiliation; medical and therapeutic expenses; loss of reputation; loss of self esteem; loss of the enjoyment of life and other tangible and intangible losses.
- D. Award Plaintiff a reasonable attorneys' fee and her costs.

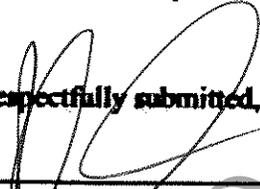
JURY DEMAND

PLAINTIFF DEMANDS JURY ON ALL ISSUES SO TRIABLE.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing factual allegations are true and correct to the best of my knowledge and belief.


KATHLEEN DARAS

Respectfully submitted,


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COUNSEL FOR PLAINTIFF

Dated: 10/3/23

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Bullying/Harassment
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THE SCHOOL DISTRICT OF PALM BEACH COUNTY
OFFICE OF PROFESSIONAL STANDARDS

Employee Bullying and Harassment Report

Complete this report to document incidents of alleged bullying and harassment in accordance with School Board Policy 5.002-Anti-Bullying and Harassment. Submit this report to the Office of Professional Standards, directly or by PONY, to FHESC A-106 or by confidential fax (561) 434-8178. This report contains confidential information that must be maintained separately from personnel records. If you wish to file an anonymous report, check the box below or call the Office of Professional Standards Hotline at (561) 357-5999. If you have any questions or wish to check the status of your report, contact the Office of Professional Standards at (561) 357-5999.

Required Information:

Section I:

Anonymous complaints (must include factual details). Skip to Section II.

Date of Report
April 25, 2022

Complainant Name (Last, middle initial, first) Kathleen R Madaras	Employee ID 1148293	Contact Number (201) 919 - 1265
Complainant Job Title Teacher (Social Studies)	Complainant School/Department Name Palm Beach Youth Academy	
Name of Immediate Supervisor Dr. Demetuis Permenter		

Section II:

Complaint filed against:

Name Angela Hammond	Title Teacher (English)	School/Department Palm Beach Youth Academy
Name	Title	School/Department

Check the forms of mistreatment upon which this complaint is base (check all that apply). If this complaint involves harassment or discrimination based on gender-identity and/or expression, race, religion, sexual harassment, or other violation of civil rights, use PBSO 2162 Equal Employment Opportunity (EEO) Complaint.

- physical bullying/intimidation verbal abuse/bullying social isolation/exclusion emotional abuse/bullying
 relationship violence or abuse cyberbullying/stalking other (specify) _____

STATEMENT

Provide a description of your complaint with as many details as possible including what happened, the date(s) and location(s) for each event involved in the complaint. Submit and attach additional sheets, if necessary, along with all available evidence. If the incident involves technology, submit, attach and secure all hardcopy downloadable electronic evidence including a SCREENSHOT OF THE CONTENT if available (e.g., written notes, e-mails, computer records, or text messages/photos, referrals, incident reports.)

DATE	INCIDENT	LOCATION
4/21/2022	I was getting the key to my office when Ms. Hammond approached the area and I said hello and there was no response. I continued and asked about collaborating on a lesson plan and she very clearly and in an intimidating way rudely stated she had no interest. As I walked away I made a comment about all she had to do was respond to my email sent April 18th and asked her either what's your end game or what's your game plan. I went to my	Hallway by the control center

Be advised that you (or any employee) should never forward, copy, transmit, download, place on a flash drive, or show another person any of the evidence collected or turned over, from a personal digital device, cell phone, internet or computer or discuss the matter with another person outside the scope of this investigation.

Note that Policies 5.002 and 3.02 prohibit misrepresenting or falsifying information presented in the course of an inquiry or investigation.

It is with a heavy heart I write and file this harassment & bullying complaint against a colleague, especially since we are such a small group.

The most recent and unwarranted aggression occurred on Thursday, April 21st when I ran into Ms. Hammond and inquired about the email I sent her 3 days' prior about collaborating on a lesson plan.

- I approached Ms. Hammond and said Good Morning and received no response
- I followed up asking about collaborating on a lesson plan and received a curt & snarky no answer
- I said you could have responded to the email
- When walking away I did ask what is your game plan or end game (something like that).
- I went back and sent a second email follow up & I believe at the same time she went back to respond to my original email
- Instead of it being a conversation between two teachers she cc'd Dr. Permenter and Ms. Ford – dragging others into the conversation – not sure why
- I responded to Ms. Hammond's email with a reply all because I felt I had to defend myself
- I then called the CTA

Background:

Most Important: I have had a few discussions with Dr. P about the issue I am now, unfortunately, involved in coming to a head. I, as a new teacher, feel I am now a true victim of the bullying and harassment by a colleague.

When I first met Ms. Hammond (Dec 20, 2021) she came across as a professional teacher who had the students best interest at heart.

That all changed about the 2nd week of January. It did not take a rocket scientist to figure out there was an underlying issue between Ms. Hammond and Ms. Cohen (Guidance Counselor & favorite of the students)

Unfortunately, as the saying goes – "birds of the same feathers flock together" So the assumption was made, by many, my allegiance was to Ms. Cohen. The truth we were always together for two reasons:

- We shared an office
- Any and all who wanted to go out to lunch met outside at 1:00PM daily

Once I realized I was being dragged into the issue between the two colleagues I respectfully asked them both to not include me in their emails back and forth. In fairness they included all the teachers. After a short while Ms. Cohen just ignored the emails to avoid being "goated" into conflict.

During this time, I had an appointment scheduled with my doctor for my bi-annual check-up and for the first time in my life I had high blood pressure and was very close to hypertension. I spoke with Dr. P and told him I was losing sleep and I now had high blood pressure and we spoke about not letting the job "get to you", especially as a first year teacher and in alternative education.

Ms. Cohen was transferred to another location but the issue and underlying tension persisted because Cohen was not the problem. Ms. Hammond, when Cohen was transferred, came across as more empowered and that was not a good sign for things to come. Ms. Cohen is an inclusive person and always has the backs of colleagues she has a good working relationship with.

I was actually hoping with them being separated I could collaborate with Ms. Hammond on lesson plans but as I am writing this we all know Ms. Hammond does not want to collaborate.

Once Ms. Cohen was transferred I chose to bring my lunch daily and once in a while go out with whomever was going on that day. Why? I felt it was best to keep my head down, teach and avoid any kind of conflict.

It is important to note - when in the building and there is a meeting we are supposed to attend in person. Ms. Hammond regularly attends via video. Apparently there are two sets of rules. One for Ms. Hammond and one for everyone else.

Now that Ms. Cohen has been transferred I believe Ms. Hammond has put a "target" on my back and I can feel the tension whenever I am near her or with her at a meeting or event.

On the few occasions I have passed the directives along from Dr. P to the teachers and Ms. Hammond would comment that she would call Dr. P directly and ignored my words.

I have been told Ms. Hammond was an Assistant Principal so I am not quite sure why she would go from being an AP at a regular school to being an English teacher at an alternative education school. I am starting to think it wasn't her choice and she is not happy about where she is working.

Example of Open Hostility: (my perspective and as a new teacher I was truly upset by the lack of professionalism)

One day we had a meeting with all the teachers and staff being led by the Guidance Counselor who directed a question to Dr. P and he deferred to Ms. Hammond. This did not sit well with anyone in the room. One staff member said "do we have a problem here" and repeated it a few times. The Guidance Counselor was addressing another question by a staff member and letting them know it was a full agenda but she could address her issue at another meeting and was trying to regain control of the meeting when Ms. Hammond abruptly got up and went to walk out and the GC asked where are you going and Ms. Hammond gave a snarky response and walked out. To me it felt like a slap in the GC's face and it was disrespectful to the rest of the attendees. From my perspective it was evident that since the attention was taken away from Ms. Hammond she felt slighted and that is why she left.

Since my colleague was transferred I feel that Ms. Hammond is taking her aggressions out on me and it came to a head when I approached Ms. Hammond via email about collaborating on a lesson plan.

I reviewed an assignment (Hammond gave to the students and since it was history they thought it was my assignment) and was very excited to reach out to Ms. Hammond to collaborate on a lesson plan together. I sent her a very positive, upbeat email about working together (April 18th) and on April 21st I still had no response and I asked her when I ran into her in the hall and that interaction led to this meeting.

FYI: I emailed another colleague to collaborate on assignments and I received a positive response and will discuss the topic she is currently covering and relate it to history during this weeks' lessons.

I believe Ms. Hammond is trying to intimidate me by sending lengthy emails and cc-ing the principal and assistant principal. If you are not doing anything wrong, why are you involving other people. I wrote a simple email about collaborating on a lesson plan and after giving me a curt response in the hallway, Ms. Hammond finally responded and dragged the principal and assistant principal into a simple discussion about collaborating. Hammond's response was to involve others and I am still not sure why. To me that is a sign of intimidation, bullying and harassment.

The situation Dr. P tried to correct has not been corrected. The tension, hostility and bullying was only transferred from being directed towards Cohen to being directed towards me.

For me there are two schools of thought as to why this tension, etc was transferred to me.

- 1) I am "friends" with the colleague that was transferred (we are professional and collaborate well together)
- 2) This is a racial issue. I hate to even suggest that but the colleague that was transferred and I are the same ethnicity

As I still say, I am too new to be jaded or opinionated about the school or the teachers/staff. I just want to work in a peaceful environment with colleagues that respect each other.

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